



Council for Lifelong Learning
**Exceptional Student Education
(ESE)**

**Fact
Sheet**

September 2001

<p>1. What is Exceptional Student Education?</p>	<p>Exceptional Student Education (ESE) programs serve students with special education needs. ESE serves students who are determined to be developmentally, physically, or mentally impaired or handicapped, gifted students, and students who are hospitalized or homebound. Student enrollment in ESE programs is one factor considered in determining what funding a school district receives (See the Florida Education Finance Program Fact Sheet.)</p>
<p>2. How are students determined to be eligible for ESE services?</p>	<p>A child determined ESE eligible in Florida between the ages of three and twenty-one is entitled to receive educational services beginning with Pre-K. The free program will provide special materials and educational services designed to meet the needs of the child. Some school districts have services for children younger than three.</p> <p>A referral form for evaluation is completed for a child thought to need services by either the parent, the student, a teacher, a doctor, or a social worker. The school determines if an individual evaluation is needed. A child is determined eligible through the evaluation process, and a determination of whether the child meets State Board of Education requirements for ESE education is made through an eligibility-staffing meeting.</p> <p>A written description of the services to be provided is prepared in the form of an individual education plan (IEP). A family support plan (FSP) is prepared for children ages birth to two. Gifted students generally receive an educational plan (EP). In all cases, parents review and agree to the educational services to be provided for the child.</p>
<p>3. What does the individual education plan do?</p>	<p>The IEP is a written document that tells the parent, the teaching staff, and other school staff what special services and programs will be provided to the ESE student. The IEP is designed to meet the individual needs of the child. A child is not considered for placement in the ESE program until the parent and school district agree to the specifics of the IEP. Every attempt is made to include the parent in the writing of the IEP.</p>

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<p>4. What programs are available for ESE students?</p>	<p>In Florida, a variety of different programs are available for children within ESE. Programs include students determined to be autistic, deaf or hard-of-hearing, developmentally delayed (Pre-K only), dual sensory impaired, emotionally handicapped or severely emotionally disturbed, gifted, homebound or hospitalized, mentally handicapped, physically impaired, specific learning disabled, speech or language impaired, visually impaired, or those needing physical and occupational therapy.</p>
<p>5. Can ESE students participate in the Opportunity Scholarship Program?</p>	<p>Yes. An ESE student with special needs who is eligible to receive services from the school district may participate in the Opportunity Scholarship program and remains eligible to receive services from the school district as provided by federal and state law. (See the Opportunity Scholarship Fact Sheet.)</p>
<p>6. What is the McKay Scholarships for Students with Disabilities Program?</p>	<p>The McKay Scholarships for Students with Disabilities Program expands the school choice program created by the 1999 Legislature as a pilot program for Sarasota County. This school choice option was part of the A+ Education Plan enacted by the 1999 Legislature, Chapter 99-398, L.O.F. The scholarships are available for eligible students with disabilities to attend an eligible public or private school of their choice. Students with disabilities include K-12 students who are mentally handicapped, speech and language impaired, deaf or hard-of-hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, hospitalized or homebound, or autistic. (See the McKay Scholarships for Students with Disabilities Program Fact Sheet.)</p>
<p>7. How often are re-evaluations of a child's individual education plan done?</p>	<p>A parent may request a review of the IEP if the child's needs change. At least once each year, the school will hold a meeting to discuss each child's progress and to review the IEP. A re-evaluation of each child for placement in ESE is done at least every three years. A re-evaluation can be made without parental consent but the school must notify and report the results to the parent.</p>
<p>8. What are the applicable statutes and rules?</p>	<p>Individuals with Disabilities Education Act, Education for All Handicapped Children Act of 1975, Public Law 94-142.</p> <p>Education of the Handicapped Act Amendments of 1986, Public Law 99-457.</p> <p>The Family Education Rights and Privacy Act (The Buckley Amendment), Regulations for the Individuals with Disabilities</p>

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	<p>Act.</p> <p>Section 228.051, F.S. -- Requirement for public schools to provide exceptional student education instruction</p> <p>Section 228.093, F.S. -- Requirement to protect privacy of student records</p> <p>Section 230.23, F.S. -- Requirement to provide appropriate program special instruction</p> <p>Section 232.01, F.S. -- School attendance for exceptional students</p> <p>Rule 6A-6.0311, F.A.C. -- Special programs for students who are mentally handicapped</p> <p>Rule 6A-6.0312, F.A.C. -- Special programs for students who are speech and language impaired</p> <p>Rule 6A-6.0331, F.A.C. -- Identification and assignment of exceptional students to special programs</p> <p>Rule 6A-6.03311, F.A.C. -- Procedural safeguards for exceptional students</p> <p>Rule 6A-6.0334, F.A.C. -- Temporary assignment of transferring exceptional students</p> <p>Rule 6A-6.03411, F.A.C. -- Special program and procedures for exceptional students</p> <p>Rule 6A-6.03028, F.A.C. -- Development of individual education plans for exceptional students</p> <p>Rule 6A-6.03029, F.A.C. -- Development of family support plans for children with disabilities ages birth through five years</p>
<p>9. Where can I get additional information?</p>	<p>Florida Department of Education Division of Public Schools, Bureau of Instructional Support & Community Services (850) 488-1570 www.firn.edu/doe/</p> <p>Office of Special Education and Rehabilitative Services 400 Maryland Avenue, S.W. Washington, D.C. 20202</p> <p>Office of Civil Rights 330 Independence Avenue, S.W. Washington, D.C. 20201</p> <p>The Florida House of Representatives Council for Lifelong Learning</p>

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	<p>(850) 414-6694</p>
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The Florida House of Representatives
Committee on Education Innovation

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